

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANTHONY PITTS ,
Petitioner,

v.

JAMES WYDNER, ET AL.,
Respondents.

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CIVIL ACTION

NO. 06-5354

ORDER

AND NOW, this 27th day of September 2007, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge M. Faith Angell (Doc. 13), and no objections having been filed thereto by Petitioner Anthony Pitts, **IT IS HEREBY ORDERED and DECREED** that:

1. The Report and Recommendation (Doc. 13) is **APPROVED AND ADOPTED**;
2. The Petition for a Writ of Habeas Corpus (Doc. 1) is **DENIED AND DISMISSED AS TIME-BARRED** under 28 U.S.C. § 2244(d)(1);
3. A certificate of appealability will **NOT ISSUE**; and
4. The Clerk of the Court shall mark this case as **CLOSED**.

BY THE COURT:

/s/ Petrese B. Tucker

Honorable Petrese B. Tucker, U.S.D.J.